



1130 Connecticut Avenue, NW
Suite 300
Washington DC 20036
Tel: 202.331.8500
Fax: 202.331.1598

August 28, 2012

To: Nikki Schmidt
From: Mike Miller
Re: 2012 Federal Agenda & Work Plan Update

This memorandum provides an update on our work plan associated with the County of San Luis Obispo's CY 2012 federal agenda and moving forward into the CY 2013 cycle. Following the update we have included a matrix outlining projects and issues on the County's federal agenda and brief notes regarding the status of each.

Through July 31, 2012, The Ferguson Group (TFG) assisted San Luis Obispo County in all matters of interest pertaining to the federal government, including federal funding as well as legislative, regulatory, and other administrative matters not directly related to federal funding.

We focused much of our attention in several areas, including ensuring funding and regulatory approvals for the Los Osos project continue to move forward in a timely manner. In addition to monitoring relevant legislative action in Congress and keeping regular communications in place with the County's congressional delegation, TFG assisted the County at several critical points during the year to ensure the process did not stall. For example, TFG facilitated direct communications with key NOAA staff responsible for certain necessary regulatory approvals to ensure there were no delays in the process. Also, TFG provided congressional briefings at key points during the approval process to ensure the congressional delegation had the opportunity to express support to relevant regulatory agencies for the project and efficient evaluation and disposition of regulatory duties. TFG also briefed relevant congressional offices on Los Osos as questions arose during the review process to ensure Members of Congress had accurate information regarding the project.

TFG also focused on transportation authorization legislation with particular attention paid to highway funding opportunities and potential negative impacts of proposed policy changes related to metropolitan planning organizations. This year, TFG provided significant assistance to the San Luis Obispo Council of Governments (SLOCOG) at the request of both the County and SLOCOG. TFG regularly briefed SLOCOG staff on legislative developments and responded to inquiries from SLOCOG. In addition, TFG arranged joint County/SLOCOG meetings with key elected officials and staff during our February 2012 trip and also provided follow up services. We believe our efforts on behalf of SLOCOG benefited both SLOCOG and the County equally.

In light of the ongoing congressional moratorium on project earmark, TFG continued working with the County to identify grant opportunities – competitive and discretionary – and assisted County staff throughout the year by evaluating grant opportunities and providing important

information about relevant grants to aid in decision making. As we have discussed in the past, grant funding will continue to be critically important as Congress is undecided about whether to keep the moratorium in place when the new Congress convenes in January 2013.

Looking forward toward the 2012-2013 cycle, The Ferguson Group will work with San Luis Obispo County to ensure that project development and advocacy continues to be efficient, effective, and result in putting projects in the best possible position to receive federal funding. In addition to our regular and ongoing communications with County staff, we will also provide quarterly updates to the Board and staff regarding all matters of interest to the County at the federal level.

The following points outline our anticipated work plan. It is important to point out this is an election year and there might be significant changes in federal policy and opportunities in the coming months which could affect our work plan. Also, we are assuming the County and SLOCOG would like TFG to continue to assist SLOCOG in ways similar to 2011-2012.

1. Research and Identify Federal Funding Opportunities. On an ongoing basis, TFG reviews and identifies federal funding opportunities – both actual and potential. This research allows us to efficiently assess the likelihood of funding for projects in the early phases of specific project development. TFG maintains communications with key Members of Congress, congressional staff, and Administration officials and staff regarding funding opportunities and trends.

- Timeframe: Ongoing.
- Work product: Research and develop funding opportunity information for meetings with County officials and staff, communications with congressional and Administration contacts regarding funding opportunities and trends.

2. Develop Federal Agenda. While TFG researches and identifies federal funding opportunities, we concurrently work with the County to develop a project agenda. TFG will meet this fall once again with the County's elected officials and staff to identify project priorities. TFG briefs the County on other funding opportunities and policy consideration to stimulate thought regarding other County projects not previously discussed.

- Timeframe: Fall 2012.
- Work product: Preliminary project agenda with project assessment focusing on likelihood of funding based on funding criteria, precedent, and other considerations.

3. Congressional Delegation and Federal Agencies - Input. TFG discusses the agenda on an informal basis with key congressional representatives and relevant federal agency officials and staff to secure initial support or identify challenges. To ensure early feedback from the County's congressional delegation, we will work with congressional staff and seek initial review of the County's preliminary federal agenda concurrently with our federal funding research and preliminary federal agenda development.

- Timeframe: Fall 2012 (after County's initial CY 2013 federal agenda is developed)
- Work product: Briefings with congressional offices, agencies, and County staff.

4. Finalize Project Agenda. TFG briefs the County on congressional and agency comments on the agenda. TFG proposes a final project agenda based upon identified County priorities, funding opportunities, and congressional comments. While it is important to identify an agenda and remain focused on the agenda, TFG understands that County priorities can change during the appropriations cycle; TFG remains flexible throughout the year to address possible changes in priorities.

- Timeframe: Fall / Early Winter.
- Work product: Communications with County staff and officials, final project agenda.

5. Formal Requests. TFG works with the County, federal agencies, and the congressional delegation to finalize and submit requests for funding, policy changes, and regulatory relief. TFG drafts correspondence to congressional offices requesting support for projects. TFG coordinates communications with congressional offices and federal agencies and confirms receipt of project requests in advance of deadlines. TFG assists congressional offices as appropriate with work related to requests. TFG completes all required Member, committee, and subcommittee forms and other documents as appropriate. TFG communicates regularly with delegation offices and provides project background memoranda and other support to congressional staff as appropriate.

Once again, it is important to note we do not know whether the next Congress will adopt another moratorium on congressional earmarks for the next appropriations cycle. TFG will ensure funding opportunities are explored and will also work with the congressional delegation and the Administration to find funding opportunities outside the appropriations process (e.g., competitive and discretionary grants, policy changes enabling County participation in programs).

- Timeframe: Ongoing.
- Work product: Meetings with County staff and officials, project descriptions, required forms, supporting materials, congressional correspondence and other communications with congressional offices, project advocacy, grants research and applications.

6. County Advocacy. TFG strongly believes the most effective advocates for San Luis Obispo County are the County's elected officials and staff. We will continue to maximize the benefits of your expertise by ensuring that the right message is delivered to the right people at the right time. TFG provides full support to the County, including but not limited to meeting scheduling, briefing materials and talking points for meetings, meeting attendance and participation, and travel assistance. TFG staff attends meetings in Washington and California and follows up on all action items resulting from meetings. TFG also advises County officials and staff regarding additional communications at key points throughout the appropriations process, and provides draft correspondence, contact information, and talking points to the County as needed. TFG advises the County regarding building and maintaining a strong working relationship with congressional offices, and as appropriate, with Administration officials and staff.

- Timeframe: February – March 2013 and ongoing as necessary.
- Work product: Secure meetings with congressional delegation and relevant Administration officials and staff; meeting schedules, briefing materials, talking points, draft correspondence, communications with County officials and staff, congressional testimony.

7. Outcomes and Project Assessment. Upon final determinations by Congress or agencies, TFG reports results to the County immediately upon receiving accurate and reliable information. TFG provides copies of relevant legislation, congressional reports, and other documents. TFG debriefs congressional offices regarding project results and reports findings to the County. TFG provides outcomes assessments, assisting TFG and the County in formulating the San Luis Obispo's federal agenda for the next cycle.

- Timeframe: Ongoing
- Work product: Communications regarding results and assessment of federal agenda, debriefing congressional offices regarding outcomes.

8. TFG Advocacy. Throughout the year, TFG regularly communicates with Members of Congress, their staff, and key committee staffers in support of the County's requests. TFG full support to congressional offices, including support letters to appropriations committees, talking points for Member and staff meetings, memoranda regarding project and budget status, draft congressional testimony, and other communications as requested by congressional offices. TFG tracks legislation of interest to the County, including appropriations and other legislation, and will report key developments in the legislative process to the County. TFG also provides regular reports to the County outlining major policy areas, initiatives, and legislation. TFG staff attends relevant committee hearings and markups and provides updates to the County. In addition, TFG works with federal agencies to secure positive outcomes for the County's federal agenda.

- Timeframe: Ongoing.
- Work product: Communications with congressional representatives and federal agency officials and staff, draft correspondence, support materials, memoranda for congressional offices regarding project status, and other support as requested and needed by congressional offices, attend congressional hearings.

9. Grants. TFG will work closely with County officials and staff throughout the year to identify meaningful grant opportunities related to County priorities and needs. TFG will provide ongoing analysis of grant opportunities and will assist the County in application development and submittal. TFG will also provide outcomes analysis regarding grant applications and will follow up post-award to ensure funding is secured efficiently.

10. Client Communications. TFG is fully accessible to County officials and staff. We provide regular reports regarding project status, and we regularly meet in person with officials and staff in San Luis Obispo. By way of example, TFG continues to hold biweekly conference calls with County staff regarding the Los Osos Wastewater Project. We are available via telephone and email to answer questions and respond to other inquiries and requests from the County. TFG staff is available to County officials and staff to check and track the status of any legislation or regulatory activity at the federal level, as well as to advise the County regarding any potential impact of the matter on San Luis Obispo.

- Timeframe: Ongoing.
- Work product: Meetings in San Luis Obispo, written and oral status reports, other communications as necessary, meetings with other relevant entities, respond to information requests from County officials and staff.

	PROJECT/ISSUE	NOTES
1	Transportation authorization bill (MAP-21)	<p>Provisions related to bridge replacement, MPO protection, off-system project eligibility, funding flexibility. HR 7 & MAP-21.</p> <p>Meetings in February 2012 and ongoing communications with congressional delegation and key committee staff regarding County and SLOCOG concerns.</p> <p>Two-year bill passed in July 2012 and effective October 1. Tracking funding and policy implementation plans.</p> <p>Problematic MPO provisions not included in final bill.</p>
2	101 / 46 interchange	<p>DOT grant funding and tracking funding implementation under MAP-21.</p> <p>USDOT will work with Caltrans to administer funding under MAP-21.</p>
3	Willow Road	<p>DOT grant funding and tracking funding implementation under MAP-21.</p> <p>USDOT will work with Caltrans to administer funding under MAP-21.</p>
4	Oceano Highway 1 flooding	DOT and FEMA grant funding. Ongoing research regarding funding opportunities.
5	Southland interchange	<p>DOT and EDA grant funding</p> <p>Will evaluate funding opportunities as MAP-21 administration is implemented.</p>

	PROJECT/ISSUE	NOTES
6	Los Osos Wastewater	<p>Ongoing work with USDA, Corps of Engineers, Reclamation, EPA, FWS, NOAA, NMFS, and DOI regarding funding opportunities and regulatory issues.</p> <p>February 2012 meetings with key congressional and regulatory staff and officials regarding approval process and regulatory approvals.</p> <p>Worked closely with congressional staff to ensure regulatory agencies remained on schedule with necessary review and approval process.</p> <p>Continuing to work toward securing meetings with regional Corps officials and staff regarding Corps project work plan and prioritizing Los Osos.</p>
7	Habitat Conservation Planning	Los Osos, Arroyo Creek, and regional HCP efforts. FWS, DOI, NOAA, NMFS, COE, and other agencies.
8	Water recycling	Bureau programs including WaterSMART.
9	NPDES – MSR4s Phase II	Permitting requirements. Continue advising County regarding key actions by EPA and other regulatory agencies.
10	Stormwater conveyance & liability	<p>9th Circuit Court ruling. Clean Water Act, EPA.</p> <p>Continuing to track and keep congressional delegation informed.</p>
11	Invasive species (aquatic)	<p>Quaaga mussels – inspection and other assistance.</p> <p>Bureau of Reclamation Mussel Program. Met with Bureau representatives and continue investigating funding opportunities.</p>

	PROJECT/ISSUE	NOTES
12	Arroyo Grande Creek – levees and HCP	Potential small flood control or aquatic ecosystems project. Corps of Engineers, NOAA, NMFS, FWS. Working with County staff to ensure timely regulatory consideration.
13	Property Assessed Clean Energy Program (PACE)	Actively engage legislators and Administration. Ongoing communications with congressional delegation regarding support for PACE program.
14	Climate Change	Alternative transportation funding opportunities, urban forestry, climate change planning, greenhouse gas reduction opportunities
15	Energy efficiency for public buildings	DOE – EERE program. Ongoing review of grant opportunities and communications with County staff.
16	Federal nuclear energy and waste policy	Diablo Canyon licensing; nuclear waste disposal and transportation
17	Anti-Gang Funding	Funding via USDOJ grant programs. Communicating support for program funding to delegation. Awaiting FY 2013 appropriations finalization.
18	DNA Cold Hit funding	Funding via USDOJ grant programs. Communicating support for program funding to delegation. Awaiting FY 2013 appropriations finalization.

	PROJECT/ISSUE	NOTES
19	CDBG and Energy Efficiency and Community Block Grant (EECBG)	Track and advocate for maximum funding and flexibility. Awaiting FY 2013 appropriations finalization.
20	Cambria Library Expansion	Expansion. Continuing to explore USDA and other grant opportunities.
21	Homeless services and facilities funding	Awaiting FY13 appropriations finalization to assess opportunities.
22	Low income wastewater assistance	Akin to LIHEAP.
23	Farm Bill	Relevant provisions including broadband service, land preservation, wildfire prevention, habitat resource conservation districts, erosion control.
24	Medicare reimbursement	Inadequate reimbursement due to high cost but rural designation
25	Veterans assistance	Transportation to clinic and other assistance Awaiting FY13 appropriations finalization to assess opportunities.
26	NEA funding for public art	Awaiting FY13 appropriations finalization to assess opportunities.
27	Feinstein/Boxer Earthquake Insurance bill	S. 637 (HR 3125). Bill currently in committee – action unlikely in this Congress.